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TO RUEHKO/AMEMBASSY TOKYO PRIORITY 8220

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INFO RUDTC/AMEMBASSY LONDON PRIORITY 2068

RUEHDT/USMISSION USUN NEW YORK 0187

BT

C O N F I D E N T I A L

LIMITED OFFICIAL USE STATE 256249

LONDON FOR JOHN NORTON MOORE

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: CLAIM OF EXCLUSIVE MINING RIGHTS BY DEEPSEA VENTURES

1. THE DEPARTMENT OF STATE RECEIVED ON NOVEMBER 15, 1974 A LETTER FROM MR. JOHN E. FLIPSE, PRESIDENT OF DEEPSEA VENTURES, INC., WHICH PURPORTS TO BE A QUOTE NOTICE OF DISCOVERY AND CLAIM OF EXCLUSIVE MINING RIGHTS AND REQUEST FOR DIPLOMATIC PROTECTION AND PROTECTION OF INVESTMENT, BY DEEPSEA VENTURES, INC. UNQUOTE. THIS QUOTE CLAIM UNQUOTE IDENTIFIES AN AREA IN THE EASTERN PACIFIC OCEAN THAT IS BEYOND THE NATIONAL JURISDICTION OF ANY STATE AND ASSERTS THAT DEEPSEA VENTURES, INC. QUOTE HAS DISCOVERED AND TAKEN POSSESSION OF, AND IS NOW ENGAGED IN DEVELOPING AND EVALUATING, AS THE FIRST STAGES OF MINING, A DEPOSIT OF SEABED MANGANESE NODULES UNQUOTE. DEEPSEA VENTURES ASSERTS THE EXCLUSIVE RIGHTS TO DEVELOP, EVALUATE AND MINE THE DEPOSIT AND TO TAKE, USE AND SELL ALL OF THE MANGANESE NODULES IN, AND THE MINERALS AND METALS DERIVED THEREFROM.

2. DEEPSEA VENTURES SUBMISSION TO THE DEPARTMENT STATES STOCK OPTIONS ARE OUTSTANDING WHICH, IF EXERCISED, WILL RESULT IN ACQUISITION OF FOLLOWING PERCENTAGE OF DEEPSEA'S CAPITAL STOCK BY OTHERS:

23.75 -- ESSEX IRON COMPANY, A SUBSIDIARY OF UNITED STATES STEEL CORPORATION.

23.75 -- UNION MINES INC., A SUBSIDIARY OF UNION MINIERE, S.A., A BELGIAN CORPORATION.

23.75 -- JAPAN MANGANESE NODULE DEVELOPMENT CO.

3. DEPT HAS PREPARED FOR

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RESPONSE TO QUESTIONS ONLY:

Q. DO YOU HAVE ANY COMMENT ON A DEEP SEABED MINING CLAIM
FILED WITH THE STATE DEPARTMENT BY DEEPSEA VENTURES,
INC?

A. THE DEPARTMENT OF STATE DOES NOT GRANT OR RECOGNIZE
EXCLUSIVE MINING CLAIMS ON THE SEABEDS BEYOND THE
LIMITS OF NATIONAL JURISDICTION. INTERNATIONAL LAW
DOES NOT, IN OUR VIEW, PROHIBIT DEEP SEABED MINING,
AND THOSE INTERESTED ARE FREE TO DO SO. A WIDELY
ACCEPTED LAW OF THE SEA TREATY IS THE BEST WAY TO
DEAL WITH THIS PROBLEM, AND WE ARE WORKING FOR THIS
NOW.

OUR EXPERTS HAVE PREPARED A MORE DETAILED WRITTEN
STATEMENT FOR THOSE OF YOU WHO ARE INTERESTED.

STATEMENT ON CLAIM OF EXCLUSIVE MINING
RIGHTS BY DEEPSEA VENTURES, INC.

THE DEPARTMENT OF STATE RECEIVED ON NOVEMBER 15, 1974,
A LETTER FROM MR. JOHN E. FLIPSE, PRESIDENT OF DEEPSEA
VENTURES, INC., DESCRIBED AS A QUOTE NOTICE OF DISCOVERY
AND CLAIM OF EXCLUSIVE MINING RIGHTS AND REQUEST FOR
DIPLOMATIC PROTECTION AND PROTECTION OF INVESTMENT, BY
DEEPSEA VENTURES, INC. UNQUOTE. THIS CLAIM IDENTIFIES
AN AREA IN THE EASTERN PACIFIC OCEAN THAT IS BEYOND THE
NATIONAL JURISDICTION OF ANY STATE AND ASSERTS THAT DEEP-
SEA VENTURES, INC. QUOTE HAS DISCOVERED AND TAKEN POS-
SESSION OF, AND IS NOW ENGAGED IN DEVELOPING AND EVALUATING,
AS THE FIRST STAGES OF MINING A DEPOSIT OF SEABED
MANGANESE NODULES. UNQUOTE. DEEPSEA VENTURES ASSERTS
THE EXCLUSIVE RIGHTS TO DEVELOP, EVALUATE AND MINE THE
DEPOSIT AND TO TAKE, USE AND SELL ALL OF THE MANGANESE
NODULES IN, AND THE MINERALS AND METALS DERIVED THEREFROM.
THE DEPARTMENT OF STATE DOES NOT GRANT OR RECOGNIZE
EXCLUSIVE MINING RIGHTS TO THE MINERAL RESOURCES OF AN
AREA OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURIS-
DICTION.

THE APPROPRIATE MEANS FOR THE DEVELOPMENT OF THE LAW OF
THE SEA IS THE THIRD UNITED NATIONS CONFERENCE ON LAW OF
THE SEA AND NOT UNILATERAL CLAIMS. THE UNITED STATES SU-
PPORTS THE ACHIEVEMENT OF A WIDELY ACCEPTABLE AND COM-
PREHENSIVE LAW OF THE SEA TREATY.

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INCLUDE A REGIME AND MACHINERY FOR THE EXPLORATION FOR
AND EXPLOITATION OF THE MINERAL RESOURCES OF THE DEEP
SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION.
THE POSITION OF THE UNITED STATES GOVERNMENT ON DEEP
OCEAN MINING PENDING THE OUTCOME OF THE LAW OF THE SEA
CONFERENCE IS THAT THE MINING OF THE SEABED BEYOND THE
LIMITS OF NATIONAL JURISDICTION MAY PROCEED AS A FREEDOM
OF THE HIGH SEAS UNDER EXISTING INTERNATIONAL LAW.

4. REQUEST AMEMBASSIES BRUSSELS AND TOKYO INFORM GOJ
AND GOB THAT DEPT HAS RECEIVED CLAIM, INFORM OF REFERENCE
TO FOREIGN COMPANIES AND INFORM OF GUIDANCE QUOTED PARA 3.
IF GOJ OR GOB DESIRE COPIES OF RELEVANT DOCUMENTS, THEY
ARE AVAILABLE FROM L. DEEPSEA VENTURES APPARENTLY
INTENDS TO PROVIDE COPIES OF THE CLAIM TO BELGIAN AND
JAPANESE EMBASSIES WASHINGTON.

5. FOR LONDON: PROF. MOORE MAY WISH TO INFORM U.K. AND
OTHER DELS AS APPROPRIATE OF CLAIM FILED AND DEPARTMENT
REACTION, INGERSOLL